

Mail Stop Interference  
P.O. Box 1450  
Alexandria Va 22313-1450  
Tel: 571-272-4683  
Fax: 571-273-0042

Entered: 6 February 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

**KATHERINE L. MOLNAR-KIMBER,**  
**CRAIG E. CAUFIELD, and**  
**TIMOTHY D. OCAIN**  
Junior Party  
(Application 09/576,951),

v.

**RICHARD SEDRANI**  
and **VALERIE QUESNIAUX**  
Senior Party  
(Patent 6,635,745).

Patent Interference No. 105,429  
(Technology Center 1600)

Sally Gardner Lane, *Administrative Patent Judge.*

**Redeclaration – Bd.R. 203(c)**

Sedrani's motion to substitute a count has been granted. (Paper 36).

The interference is redeclared to substitute Count 2 for Count 1.

Upon consideration of the record and for reasons given, it is

**ORDERED** that the following count, Count 2, is substituted for

Count 1:

An immunogenic conjugate which is rapamycin bearing an immunogenic protein at position 40 or 28

or

A monoclonal antibody having binding specificity for a rapamycin, wherein said antibody is obtained using an immunogen comprising a molecule selected from the group consisting of a rapamycin having a linking group at the 42 position, a rapamycin having a linking group at the 31 position, and a rapamycin having a linking group at both the 42 position and the 31 position, wherein said molecule is conjugated to an immunogenic carrier material via said linking group.

1 FURTHER ORDERED that the following claims are designated

2 as corresponding to Count 2:

3 Sedrani: 1-4

4  
5 Molnar-Kimber: 33-38 and 41-47.

6  
7 /Sally Gardner Lane/  
8 SALLY GARDNER LANE  
9 Administrative Patent Judge  
10

11  
12 cc (electronic filing):

13  
14 Counsel for MOLNAR-KIMBER:

15  
16 Gordon Kit, Esq.  
17 SUGHRUE MION ZINN MACPEAK & SEAS PLLC  
18 2100 Pennsylvania Avenue, N.W., Suite 800  
19 Washington, D.C. 20037-3202  
20 gkit@sughrue.com  
21 mhayman@sughrue.com  
22

23 Counsel for SEDRANI:

24  
25 Dimitrios T. Drivas, Esq.  
26 WHITE & CASE LLP  
27 1155 Avenue of the Americas  
28 New York, New York 10036  
29 ddrivas@whitecase.com  
30 lmorioka@whitecase.com  
31 jscheibeler@whitecase.com